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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/716,711	11/20/2000	Antti Petajisto	975.316USW1	6795
32294	7590	07/13/2005	EXAMINER	
SQUIRE, SANDERS & DEMPSEY L.L.P.			TRAN, THIEN D	
14TH FLOOR			ART UNIT	
8000 TOWERS CRESCENT			PAPER NUMBER	
TYSONS CORNER, VA 22182			2665	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/716,711

Applicant(s)

PETAJISTO, ANTTI

Examiner

Thien D. Tran

Art/Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-16, 20-23 is/are rejected.
- 7) ☒ Claim(s) 17-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>11/20/00, 04/09/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 14-16, 20-23 are rejected under 35 U.S.C. 102(e) as being participated by Shad et al (U.S Patent No. 5,917,804).

Regarding claim 14, Shad discloses a method for performing a connection admission control in asynchronous node, comprising the steps of:

storing approximation parameters obtained by approximating a traffic parameter function defining an effective bandwidth of a connection, col.5 lines 30-40;

determining a value representing an effective bandwidth of a requested new connection by using the stored approximation parameters, col.6 lines 15-45;

changing to requiring bandwidth (increasing) a value representing a total effective bandwidth by the determined value, col.8 lines 10-15, and

admitting the requested new connection, if the increased value representing the total effective bandwidth is not larger than a predetermined value, col.8 lines 40-45.

Regarding claims 15, 24 Shad discloses that different approximation parameters are stored for different maximum cell loss ratios, and wherein the value representing the effective bandwidth of the requested new connection is determined in dependence on a desired cell loss ratio by selecting the stored approximation parameters according to the desired cell loss ratio, col.8 lines 55-65.

Regarding claim 16, Shad discloses that the predetermined value is a link capacity of a multiplex transmission link used for establishing the requested connection, col.3 lines 5-10.

Regarding claims 20, 25 Shad discloses different approximation parameters obtained by approximating different regions of the traffic parameter function are stored, and wherein the approximation parameters are selected in accordance with the region in which the traffic parameters of a requested connection are located, col.8 lines 35-40.

Regarding claim 21, Shad discloses that the value representing the effective bandwidth of the requested new connection is determined as a fraction of the link rate K and N (capacity), and wherein the predetermined value is 1, col.8 lines 1-20.

Regarding claim 22, Shad discloses the value representing the total effective bandwidth or both the value representing the total effective bandwidth and the predetermined value are updated when the link capacity changes, col.8 lines 40-46.

Regarding claim 23, Shad discloses an apparatus for performing a connection admission control in an asynchronous network node (1), comprising:

storing means for storing approximation parameters obtained by approximating a traffic parameter function defining an effective bandwidth of a connection, col.5 lines 30-40;

determining means for determining a value representing an effective bandwidth of a requested new connection by using the stored approximation parameters, col.6 lines 15-45;

changing (counting) means for increasing a value representing a total effective bandwidth by the determined value, col.8 lines 10-15;

comparing means for comparing the value representing the total effective bandwidth with a predetermined value, figure 6; and

control means for admitting the requested new connection, if the increased value representing the total effective bandwidth is not larger than a predetermined value, figure 6.

Allowable Subject Matter

3. Claims 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

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4. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thien Tran whose telephone number is (571) 272-3156. The examiner can normally be reached on Monday-Friday from 8:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu, can be reached on (571) 272-3155. Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197.

Patent Examiner

Thien Tran



STEVEN NGUYEN
PRIMARY EXAMINER